

## REMARKS

Prior to continued examination, please amend the above-identified application as follows and reconsider the claims pending in the application for reasons discussed below.

Claims 1-40 and 42 are pending in the application, and remain pending following entry of this response. Claims 1, 27, 29, 32 and 39 have been amended. Applicant submits that the amendments do not introduce new matter.

### Interview Summary

On Oct. 19, 2007, a telephonic interview was held between Gero G. McClellan, attorney of record, and the Examiner of record, Aurangzeb Hassan. The parties discussed the rejections under 35 U.S.C. 112, first and second paragraphs, and also discussed the rejection under 35 U.S.C. 102(b) with respect to *Leahy*. Each of the independent claims were discussed. The parties also discussed proposed amendments to claims 1, 27, 29, 32 and 39. The proposed amendments are reflected in this response.

During the interview, Mr. McClellan explained what was meant by the claim limitations reciting that the round-trip path does not include the receiving circuitry. An agreement was reached at the time of the interview that the rejections under 35 U.S.C. 112, first and second paragraphs were overcome.

Based on the clarification regarding the round-trip path being exclusive of the receiving circuitry, the parties also agreed that claims 10, 16 and 18 are allowed with respect to the art of record. The parties further agreed that claims 1, 27, 29, 32 and 39, would be allowed with respect to the art of record if amended to include the limitation that the receiver circuit is not part of the round-trip path. These amendments are reflected herein – accordingly, it is believed that all claims are now in condition for allowance. The Examiner stated that an updated search may be done once the amendments contained herein were entered.

Claim Rejections - 35 U.S.C. § 112

Claims 10 and 16 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.

Claims 1, 16, 18, 27, 29, 32 and 29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

These rejections were overcome by agreement reached during the interview held on October 19, 2007, as discussed above. Accordingly, Applicant respectfully requests that the rejections be withdrawn.

Claim Rejections - 35 U.S.C. § 102

Claims 1, 2, 5-14, 16-21, 23, 26-30, 32, 34-40 and 42 are rejected under 35 U.S.C. 102(b) as being anticipated by *Leahy et al.* (US Patent Number 5,029,124, hereinafter "*Leahy*").

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

In this case, *Leahy* does not disclose "each and every element as set forth in the claim". In particular, it was agreed during the interview held on October 19, 2007, that *Leahy* does not teach the recited round-trip path for a strobe signal, exclusive of the receiving circuitry. Accordingly, Applicant respectfully requests that the rejections be withdrawn.

Claim Rejections - 35 U.S.C. § 103

Claims 3, 4, 15, 22, 24, 31 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Leahy* in view of *Park* (US Patent Number 6,147,926).

The Examiner bears the initial burden of establishing a *prima facie* case of obviousness. See MPEP § 2142. To establish a *prima facie* case of obviousness three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Third, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See MPEP § 2143. The present rejection fails to establish at least the third criteria.

This rejection was overcome by agreement reached during the interview held on October 19, 2007, as discussed above. Accordingly, Applicant respectfully requests that the rejections be withdrawn.

#### Conclusion

Having addressed all issues set out in the final office action dated September 14, 2007, Applicant respectfully submits that the claims are in condition for allowance and respectfully requests that the claims be allowed.

If the Examiner believes any issues remain that prevent this application from going to issue, the Examiner is strongly encouraged to contact the undersigned attorney to discuss strategies for moving prosecution forward toward allowance.

Respectfully submitted, and  
**S-signed pursuant to 37 CFR 1.4,**

/Gero G. McClellan, Reg. No. 44,227/

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